

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
CHRISTINA MENZEL,

Plaintiff,

-v-

ROADGET BUSINESS PTE. LTD. et al.,

Defendants.

CIVIL ACTION NO.: 24 Civ. 860 (JGK) (SLC)

ORDER TO SHOW CAUSE

SARAH L. CAVE, United States Magistrate Judge.

On April 30, 2024, the Court scheduled a telephone conference for May 13, 2024 at 10:00 am (the “Conference”), to schedule a settlement conference. (ECF No. 33). Today, May 13, 2024, the Court commenced the Conference at the scheduled time. Plaintiff’s counsel appeared. Counsel for Defendants Roadget Business Pte. Ltd, Zoetope Business Co. Ltd, Shein US Services, LLC, Fashion Choice Pte. Ltd., and Shein Distribution Corp. (together, the “Appearing Defendants”), however, failed to appear.¹ The Court called Appearing Defendants’ counsel directly, and at the Court’s request, Plaintiff’s counsel emailed Appearing Defendants’ counsel to remind them of the Conference. After more than five minutes, however, Appearing Defendants’ counsel did not join the call. The Court proceeded to discuss the status of this matter with Plaintiff’s counsel, who indicated that a settlement conference would likely be more productive after the completion of certain fact discovery. At approximately 10:10 am, by which time the Appearing Defendants’ counsel still had not joined, the Court ended the Conference.

¹ The First Amended Complaint names two other Defendants: (i) Fashion Direct Corp. and (ii) Shein Technology LLC. (ECF No. 36). To date, these Defendants have not appeared in this action. Accordingly, the Court did not expect these Defendants to appear at the Conference.

Accordingly, the Court orders as follows:

1. The Appearing Defendants are ORDERED to show cause why (i) they failed, without explanation, to appear for the Conference, and (ii) the Court should not direct that sanctions be entered. See Fed. R. Civ. P. 16(f) (“On motion or on its own, the court may issue any just orders, including those authorized by Rule 37(b)(2)(A)(ii)–(vii), if a party or its attorney . . . fails to appear at a scheduling or other pretrial conference . . . [or] fails to obey a scheduling or other pretrial order.”). This showing shall be made by declaration filed on the docket on or before **May 20, 2024**. Counsel is warned that failure to comply with this Order may itself result in sanctions.
2. By separate order, the Court will schedule a further telephone conference during fact discovery, to reassess the parties’ interest in a settlement conference.

Dated: New York, New York
May 13, 2024

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge